



The Saskatchewan
Water Appeal Board

Annual Report 1986-87

**Saskatchewan
Water Appeal Board**

87-05934/

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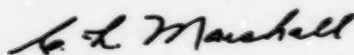
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Hon. Herb Swan
Minister
Saskatchewan Environment

Dear Mr. Swan:

I am pleased to present the annual report of The
Water Appeal Board for the fiscal year ended
March 31, 1987.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Clayton Marshall".

Clayton Marshall
Chairman

Chairman's Comments

The Saskatchewan Drainage Appeal Board was continued under the Water Appeal Board which was established under the Water Appeal Board Act (Bill No. 73 of 1983-84) and became law upon the proclamation of the Water Corporation Act on July 1, 1984. The Water Appeal Board came into force on July 1, 1984. We are a body corporate and receive funding in the form of a grant from the Consolidated Fund. The Board has full responsibility for its financial operations.

The Board's Membership consists of six members, comprising of four men and two women from various parts of the Province, being familiar with farming operations, rural municipality operations and technical expertise.

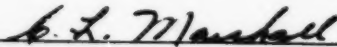
The mandate of the Water Appeal Board is to hear and determine appeals against decisions, orders and actions made by the Saskatchewan Water Corporation with respect to drainage complaints and drainage permit applications. The Board received thirty-seven new appeals in the year 1986-87. A complete report on the appeals is found in Table No. 1.

Water problems are province-wide from the U.S. border to as far north as land is being farmed and from the Manitoba to the Alberta borders. Water is a contention wherever farming is carried on, whether it be flooding, erosion, drought or irrigation problems. In the last number of years, with the farm size being expanded and larger machinery being used and with the price squeeze farmers are encountering, increased pressure is put on farmers to produce on every acre they have. Some of these acres, historically, are not meant to be cultivated acres. Our task is not an easy one as there are no simple answers to every situation. All cases are weighed on their own merit. The Board is dedicated to render decisions that will be as fair and equitable as possible.

The Board's office is located in Regina and maintains a receptionist service and a part-time secretary. The Board retains independent legal counsel on a fee-for-service basis. Business meetings are held nine months of the year in conjunction with scheduled appeal hearings in Regina and Saskatoon. When necessary, site inspections are conducted by members of the Board.

The duties of the Board have been very challenging and educational to all of our members. We are all much wiser with respect to the problems encountered by the Water Corporation, the Rural Municipalities and the farmers in administering the Province's water resource. We are proud of our record to date and it is encouraging to hear from farmers and other parties with respect to their satisfaction and the opportunity that they have to be heard and have their problems reviewed.

The Board appreciates the co-operation it has received this past year from the staff and engineers of Water Corporation and we also thank the farmers and their families for appreciating the difficult decisions we have had to make.



Clayton Marshall
Chairman

March 31st, 1987

Board Members

Chairman:	Clayton Marshall Somme, Saskatchewan
Vice-Chairman:	Robert Dorsch Weyburn, Saskatchewan
Member:	Paul Stankewich Canora, Saskatchewan
Member:	Gerald A. Fuller Regina, Saskatchewan
Member:	Elaine Morgan Gainsborough, Saskatchewan
Member:	Christine Wolfater Tompkins, Saskatchewan
Member:	Nick Kowerchuk Rabbit Lake, Saskatchewan

Table No. 1

Report on Appeals

File	Carried Fwd from 84-85 85-86	New 86-87	Heard 86-87	Decided 86-87	Carried Fwd to 87-88	Decision Fwd 87-88	With- Drawn	Denied	Dept. Upheld	Decision Overturned /Varied	Other
WAB-112-84 (a)	X			X						X	
WAB-112-84 (b)	X			X						X	
WAB-113-84	X			X						X	
WAB-119-85	X										Parties worked out solution
WAB-122-85 (a)	X			X						X	
WAB-123-85	X			X						X	
WAB-124-86	X		X	X						X	
WAB-126-85	X			X			X			X	
WAB-127-85	X			X						X	
WAB-128-85	X		X	X						X	QB
WAB-129-85	X		X	X					X	X	
WAB-130-85	X		X	X						X	
WAB-131-85	X				X						
WAB-132-85	X						X				
WAB-133-85	X		X	X					X		
WAB-134-85	X				X						
WAB-135-85	X		X	X					X		
WAB-136-86		X	X			X					
WAB-137-86		X	X	X					X		
WAB-138-86		X					X				
WAB-139-86		X	X	X					X		
WAB-140-86		X	X			X					
WAB-141-86		X	X	X					X		
WAB-142-86 (a)		X	X			X					
WAB-142-86 (b)		X	X			X					
WAB-143-86		X					X				
WAB-144-86		X	X	X					X		

Table No. 1

Report on Appeals

File	Carried Fwd from 84-85 85-86	New 86-87	Heard 86-87	Decided 86-87	Carried Fwd to 87-88	Decision Fwd 87-88	With Drawn	Denied	Dept. Upheld	Decision Overturned / Varied	Other
WAB-145-86		X	X	X							
WAB-146-86		X						X		X	
WAB-147-86		X					X				
WAB-148-86		X	X	X							
WAB-149-86		X	X	X					X		
WAB-150-86		X	X	X						X	
WAB-151-86		X	X	X		X					
WAB-152-86		X	X	X							
WAB-153-86		X	X	X					X		
WAB-154-86 (a)		X	X			X					
WAB-154-86 (b)		X	X			X					
WAB-155-86		X	X			X					
WAB-156-86		X	X			X					
WAB-157-86		X	X			X					
WAB-158-86		X				X					
WAB-160-86		X			X						
WAB-161-86		X						X			OB
WAB-162-86		X			X						
WAB-163-86		X			X						
WAB-164-86		X			X						
WAB-165-86		X	X								
WAB-166-87		X				X					
WAB-167-87		X			X						
WAB-168-87		X			X						
WAB-169-87		X			X						
WAB-170-87		X			X						
WAB-171-87		X			X						

Table No. 2**Summary of Appeals**

Activity	1985-86	1986-87	1987-88
Appeals carried forward from previous year	5	9	11
Decisions carried forward from previous year	1	7	12
New Appeals	19	37	
Appeals Heard	11	26	
Decisions Rendered	5	21	
Appeals Withdrawn	3	5	
Appeals Denied	1	2	
Department Decisions Affirmed	5	9	
Department Decisions Overturned or Varied	Nil	12	
Decisions appealed to Court of Queen's Bench	2	2	

Auditor's Report

To the Members of the Legislative Assembly
Province of Saskatchewan

I have examined the balance sheet of the Water Appeal Board as at March 31, 1987 and the statement of operating fund revenue, expenditure and accumulated surplus for the period then ended. My examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as I considered necessary in the circumstances.

In my opinion, these financial statements present fairly the financial position of the Board as at March 31, 1987 and the results of its operations and the changes in its financial position for the year then ended in accordance with generally accepted accounting principles on a basis consistent with that of the preceding year.

W.G. Lutz, F.C.A.,
Provincial Auditor

Regina, Saskatchewan
April 27, 1987.

**Water Appeal Board
Balance Sheet
As At March 31, 1987
Operating Fund**

	1987	1986
Assets:		
Bank	\$11,257	\$ —
Investments	15,000	65,000
Accrued interest	129	1,585
Prepaid expenses	129	100
Accounts receivable	1,565	—
Due from Trust Fund	900	500
	<u>\$28,980</u>	<u>\$67,185</u>
Liabilities & Equity		
Liabilities:		
Bank indebtedness	\$ —	\$ 3,409
Accounts payable	104	1,305
	<u>104</u>	<u>4,714</u>
Equity:		
Accumulated surplus	28,876	62,471
	<u>\$28,980</u>	<u>\$67,185</u>
Trust Fund		
Assets:		
Bank	\$ 3,781	\$ 2,200
Accounts receivable	19	—
	<u>\$ 3,800</u>	<u>\$ 2,200</u>
Liabilities:		
Appellant fees (Note 1)	\$ 2,900	\$ 1,700
Due to Operating Fund	900	500
	<u>\$ 3,800</u>	<u>\$ 2,200</u>

(See accompanying notes)

**Water Appeal Board
Operating Fund
Statement of Revenue, Expenditure and Accumulated Surplus**

	For the year ended March 31, 1987	For the year ended March 31, 1986
Revenue:		
Government grant	\$28,599	\$48,832
Investment income	2,542	4,005
Miscellaneous revenue	2,038	—
Appellant fees (Note 1)	900	500
Total Revenue	<u>34,079</u>	<u>53,337</u>
Expenditure:		
Honoraria	21,600	11,550
Secretarial services	12,593	6,885
Receptionist services	200	—
Travel and sustenance	18,054	8,745
Telephone	2,450	1,007
Legal	6,468	1,969
Office (including postage, photocopying and supplies)	4,352	2,437
Miscellaneous	904	511
Office furnishings	576	—
Office rental	390	—
Bank charges	86	—
Total Expenditures	<u>67,674</u>	<u>33,104</u>
Excess of revenue over expenditure	(33,595)	20,233
Accumulated surplus, beginning of period	62,471	42,238
Accumulated surplus, end of period	<u>\$28,876</u>	<u>\$62,471</u>

(See accompanying notes)

**Water Appeal Board
Notes to Financial Statements
March 31, 1987**

1. Accounting Policies

A. Grants from the Province of Saskatchewan

Under the authority of section 7 of **The Water Appeal Board Act**, the board receives grants out of moneys appropriated by the legislature for the purposes identified in that section from the Consolidated Fund of the Province.

Grants received from the Consolidated Fund are recorded as revenue when received.

B. Appellant Fees

Appellant fees are held in a trust account until the appeal has been heard and the decision rendered. Once the decision has been rendered by the Appeal Board, then the appellant fee is dealt with in one of two manners:

- i) The fee is returned to the appellant if he/she has been successful or partially successful in his/her appeal.
- ii) The fee is retained by the Board and recorded as income if the appellant is not successful in his/her appeal.

2. Establishment of Board

The Water Appeal Board was established under **The Water Appeal Board Act** and became law upon the proclamation of **The Water Corporation Act** on May 25, 1984. **The Water Appeal Board Act** came into force on July 1, 1984.